

2026 Regular Session

HOUSE BILL NO. 1247 (Substitute for House Bill No. 884 by Representative Spell)

BY REPRESENTATIVES SPELL, ADAMS, BAYHAM, BERAULT, BILLINGS, BOYD, BRASS, BUTLER, CARRIER, CARVER, CHASSION, CHENEVERT, COX, DEVILLIER, DEWITT, DICKERSON, DOMANGUE, ECHOLS, EGAN, FISHER, FREEMAN, FREIBERG, GALLE, GLORIOSO, HEBERT, HILFERTY, HORTON, ILLG, JACKSON, MIKE JOHNSON, TRAVIS JOHNSON, LAFLEUR, JACOB LANDRY, MANDIE LANDRY, LYONS, MCFARLAND, MCMAKIN, MELERINE, MENA, MURRAY, OWEN, SAWYER, SCHLEGEL, STAGNI, TURNER, VENTRELLA, VILLIO, WALTERS, AND WYBLE AND SENATOR MIZELL

CRIME/SEX OFFENSES: Creates a statewide Sexual Assault Nurse Examiner Coordinator

1 AN ACT

2 To amend and reenact R.S. 15:622(A)(introductory paragraph) and (3) through (5),
3 624(A)(1)(introductory paragraph) and (B) through (D), and 624.1(B)(2), (C), and
4 (I), R.S. 44:4.1(B)(27), and R.S. 46:1842(introductory paragraph) and (14), to enact
5 R.S. 15:555(A)(18), 557, 622(A)(6) and (7), and 624(E) and (F), Part XI of
6 Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950,
7 to be comprised of R.S. 40:1228.1 through 1228.11, and R.S. 46:1842(20) and (21),
8 and to repeal Part III-A of Subchapter D of Chapter 5-D of Title 40 of the Louisiana
9 Revised Statutes of 1950, comprised of R.S. 40:1216.1, relative to sexual assault
10 nurse examiners; to provide for the membership of the Louisiana Sexual Assault
11 Oversight Commission; to provide for the creation, duties, and membership of a
12 subcommittee of the Louisiana Sexual Assault Oversight Commission; to provide for
13 reporting requirements; to provide for a statement of legislative intent; to provide for
14 a purpose; to create the position of the statewide sexual assault nurse examiner
15 coordinator or "SANE" coordinator; to provide for duties; to provide for definitions;
16 to establish a TeleSANE training and mobile SANE program; to provide for reports
17 to law enforcement; to provide relative to forensic medical examinations; to provide
18 relative to standards of hospitals and healthcare providers; to provide relative to the
19 reproduction of certain records; to provide for coordination; to provide for a public
20 records exception; to provide for an effective date; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 15:622(A)(introductory paragraph) and (3) through (5),
3 624(A)(1)(introductory paragraph) and (B) through (D), and 624.1(B)(2), (C), and (I) are
4 hereby amended and reenacted and R.S. 15:555(A)(18), 557, 622(A)(6) and (7), and 624(E)
5 and (F) are hereby enacted to read as follows:

6 CHAPTER 3-C. LOUISIANA SEXUAL ASSAULT OVERSIGHT COMMISSION

7 §555. Louisiana Sexual Assault Oversight Commission; creation; membership;
8 meetings

9 A. The Louisiana Sexual Assault Oversight Commission is hereby created
10 within the Department of Justice, office of the attorney general. The commission
11 shall consist of the following members:

12 * * *

13 (18) The statewide sexual assault nurse examiner, or SANE, coordinator or
14 his designee.

15 * * *

16 §557. Louisiana Sexual Assault Oversight Commission; sexual assault response
17 standards subcommittee

18 A. The Sexual Assault Response Standards Subcommittee, referred to in this
19 Section as the "subcommittee", is hereby established as a subcommittee of the
20 Louisiana Sexual Assault Oversight Commission. The duties of the subcommittee
21 are as follows:

22 (1) Review sexual assault nurse examiner, or SANE, training protocols that
23 include but are not limited to both didactic and clinical preceptor training in
24 accordance with available best practices per a national training organization in order
25 to establish state sanctioned credentialing.

26 (2) Review and establish the standards and criteria of a statewide registry of
27 SANE-trained and SANE-credentialed nurses or healthcare providers and provide
28 recommendations regarding the appropriate state agencies to maintain and administer
29 the registry.

1 (3) Review and establish statewide sexual assault response protocols in
2 accordance with the needs and best practices identified within the regional sexual
3 assault response plans from each Louisiana Department of Health regional medical
4 director.

5 B. The subcommittee shall consist of the following thirteen members:

6 (1) The statewide SANE coordinator or his designee.

7 (2) One practicing SANE-trained nurse, appointed by the attorney general,
8 who is affiliated with any state SANE nurse association.

9 (3) The president of the Louisiana State Board of Nursing or his designee.

10 (4) The chief medical officer within the Louisiana Department of Health,
11 office of public health, or his designee.

12 (5) The president of the Louisiana Hospital Association, or his designee.

13 (6) The executive director of the Louisiana Foundation Against Sexual
14 Assault or his designee.

15 (7) The executive director of the Louisiana Alliance of Children's Advocacy
16 Centers or his designee.

17 (8) The president of the Louisiana State Coroner's Association or his
18 designee.

19 (9) The executive director of the Louisiana District Attorneys Association
20 or his designee.

21 (10) The executive director of the Louisiana Sheriffs' Association or his
22 designee.

23 (11) The executive director of Louisiana Association of Chiefs of Police or
24 his designee.

25 (12) The superintendent of Louisiana State Police or his designee.

26 (13) The executive director of the Louisiana Commission on Law
27 Enforcement and Administration of Criminal Justice or his designee.

28 C. The statewide SANE coordinator or his designee shall serve as chairman
29 of the subcommittee. Members of the subcommittee shall serve at the pleasure of

1 the appointing authority and without compensation. Travel expenses, per diem, and
 2 other expenses may be paid by the member's employer or appointing authority. The
 3 office of the attorney general shall provide staff and administrative services needed
 4 by the subcommittee to carry out the duties set forth in this Section.

5 D. The subcommittee shall fix a time and place for its meetings and shall
 6 meet at least once every four months. Additional meetings may be held upon the call
 7 of the chairman.

8 E. A majority of the total subcommittee membership constitutes a quorum
 9 and any official action by the subcommittee requires an affirmative vote of a
 10 majority of the quorum present and voting.

11 * * *

12 §622. Sexual assault collection kits

13 A. As used in this Section, the following terms have the following meanings:

14 * * *

15 (3) "Reported sexual assault collection kit" means a sexual assault collection
 16 kit collected from a survivor who has reported the crime to law enforcement and
 17 affirmatively requests that the case proceed as a criminal investigation and potential
 18 prosecution of the suspect.

19 ~~(3) (4) "Sexual assault collection kit" means a human biological specimen~~
 20 ~~or specimens collected by a health care provider during a forensic medical~~
 21 ~~examination from the victim of a sexually oriented criminal offense~~ the human
 22 biological specimens and associated evidence collected by a healthcare provider
 23 during a forensic medical examination for the purpose of documenting, preserving,
 24 and analyzing evidence of a sexual assault, and means the standardized sexual
 25 assault collection kit issued by the Louisiana State Police.

26 ~~(4) (5) "Sexually oriented criminal offense" shall have~~ has the same meaning
 27 as sex offense as defined in R.S. 15:541~~(24)~~.

28 (6) "Unreported sexual assault collection kit" means a sexual assault
 29 collection kit collected from a survivor who declines to report the crime to law

1 enforcement at the time of the examination and requests that no criminal
2 investigation or prosecution be initiated, while retaining the right to report the crime
3 and convert the kit to a reported status at any time within the twenty-year retention
4 period.

5 ~~(5)~~ (7) "Untested sexual assault collection kit" means a sexual assault
6 collection kit that has not been submitted to the Louisiana State Police Crime
7 Laboratory or a similar qualified laboratory for either a serology or deoxyribonucleic
8 acid (DNA) test.

9 * * *

10 §624. Sexually oriented criminal offense data; reporting

11 A.(1) By February fifteenth of each year, each criminal justice agency,
12 including college and university campus police departments, shall report all of the
13 following information for the prior calendar year to the Louisiana Commission on
14 Law Enforcement and the Administration of Criminal Justice and the statewide
15 SANE coordinator as provided in R.S. 40:1228.1 et seq., within the Louisiana
16 Department of Justice:

17 * * *

18 B. By February fifteenth of each year, each crime laboratory shall report the
19 number of sexual assault collection kits in their backlog for the prior calendar year
20 to the Louisiana Commission on Law Enforcement and the Administration of
21 Criminal Justice and to the statewide SANE coordinator as provided in R.S.
22 40:1228.1 et seq., within the Louisiana Department of Justice.

23 C. By February fifteenth of each year, each Louisiana Department of Health
24 regional medical director shall submit his regional sexual assault response plan to the
25 chief medical officer within the Louisiana Department of Health, office of public
26 health, and the statewide SANE coordinator with inclusion of identified regional
27 gaps of access to forensic medical examinations.

28 D. By February fifteenth of each year, the Louisiana Commission on Law
29 Enforcement and Administration of Criminal Justice shall submit to the statewide

1 SANE coordinator the previous year's grants and expenditures towards SANE
2 services within each Louisiana Department of Health region.

3 ~~C. E.~~(1) By March first of each year, the Louisiana Commission on Law
4 Enforcement and the Administration of Criminal Justice shall transmit the
5 information required in Subsections A and B of this Section to the chairman of the
6 Senate Committee on Judiciary B and the chairman of the House Committee on
7 Judiciary.

8 (2) The report shall also include the name and contact information of each
9 criminal justice agency, including each college and university campus police
10 department and each crime laboratory, that failed to submit the report required by
11 Subsections A and B of this Section.

12 ~~D. F.~~ As used in this Section, the following terms have the following
13 meanings:

14 (1) "Criminal justice agency" means any government agency or subunit
15 thereof, or private agency that, through statutory authorization or a legal formal
16 agreement with a governmental unit or agency, has the power of investigation, arrest,
17 detention, prosecution, adjudication, treatment, supervision, rehabilitation or release
18 of persons suspected, charged, or convicted of a crime; or that collects, stores,
19 processes, transmits, or disseminates criminal history records or crime information.

20 (2) "Reported sexual assault collection kit" means ~~a kit that contains a~~
21 ~~human biological specimen or specimens collected during a forensic medical~~
22 ~~examination from the victim of a sexually oriented criminal offense who reported the~~
23 ~~crime to law enforcement~~ a sexual assault collection kit collected from a survivor
24 who has reported the crime to law enforcement and affirmatively requests that the
25 case proceed as a criminal investigation and potential prosecution of the suspect.

26 (3) "Sexual assault collection kit" means ~~a kit that is designed to assist in the~~
27 ~~preservation of a human biological specimen or specimens collected during a~~
28 ~~forensic medical examination from the victim of a sexually oriented criminal offense~~
29 the human biological specimens and associated evidence collected by a healthcare

1 provider during a forensic medical examination for the purpose of documenting,
2 preserving, and analyzing evidence of a sexual assault, and means the standardized
3 sexual assault collection kit issued by the Louisiana State Police.

4 (4) "Sexually oriented criminal offense" includes any sexual assault offense
5 as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S. 14:403.

6 (5) "Unreported sexual assault collection kit" means a ~~kit that contains a~~
7 ~~human biological specimen or specimens collected during a forensic medical~~
8 ~~examination from the victim of a sexually oriented criminal offense who declined~~
9 ~~to report the crime to law enforcement~~ sexual assault collection kit collected from
10 a survivor who declines to report the crime to law enforcement at the time of the
11 examination and requests that no criminal investigation or prosecution be initiated,
12 while retaining the right to report the crime and convert the kit to a reported status
13 at any time within the twenty-year retention period.

14 §624.1. Submission of sexual assault collection kits

15 * * *

16 B. The statewide sexual assault collection kit tracking system shall:

17 * * *

18 (2) Designate sexual assault collection kits as unreported sexual assault
19 collection kits or reported sexual assault collection kits.

20 * * *

21 C. The office of state police may phase in initial participation according to
22 region or volume of sexual assault collection kits.

23 * * *

24 I. For the purposes of this Section, the following terms have the following
25 meanings:

26 (1) "Reported sexual assault collection kit" means a sexual assault collection
27 kit ~~where a law enforcement agency has received a related report or complaint~~
28 ~~alleging that a sexual assault or other crime occurred~~ collected from a survivor who

1 has reported the crime to law enforcement and affirmatively requests that the case
2 proceed as a criminal investigation and potential prosecution of the suspect.

3 (2) "~~Sexual assault collection kit" includes all evidence collected during a~~
4 ~~sexual assault medical forensic examination~~ means the human biological specimens
5 and associated evidence collected by a healthcare provider during a forensic medical
6 examination for the purpose of documenting, preserving, and analyzing evidence of
7 a sexual assault, and means the standardized sexual assault collection kit issued by
8 the Louisiana State Police.

9 (3) "Unreported sexual assault collection kit" means a sexual assault
10 collection kit ~~where a law enforcement agency has not received a related report or~~
11 ~~complaint alleging that a sexual assault has occurred~~ collected from a survivor who
12 declines to report the crime to law enforcement at the time of the examination and
13 requests that no criminal investigation or prosecution be initiated, while retaining the
14 right to report the crime and convert the kit to a reported status at any time within the
15 twenty-year retention period.

16 Section 2. Part XI of Subchapter D of Chapter 5-D of Title 40 of the Louisiana
17 Revised Statutes of 1950, comprised of R.S. 40:1228.1 through 1228.11, is hereby enacted
18 to read as follows:

19 PART XI. SERVICES FOR SURVIVORS OF SEXUALLY ORIENTED CRIMINAL
20 OFFENSES ACCESS ACT

21 §1228.1. Short title

22 This Part shall be known and may be cited as the "Services For Survivors of
23 Sexually Oriented Criminal Offenses Access Act".

24 §1228.2. Findings and purpose

25 A. The legislature hereby finds and declares all of the following:

26 (1) Sexual assault is a serious public health and criminal justice issue that
27 affects individuals of all ages, genders, and backgrounds throughout the state of
28 Louisiana.

1 (2) Timely, high-quality forensic medical examinations by a trained sexual
2 assault nurse examiner, referred to in this Part as "SANE", are critical to ensuring
3 survivor-centered care, collecting forensic evidence, and supporting prosecution of
4 sexual assault offenders.

5 (3) Access to SANE services is uneven across the state, with significant gaps
6 in rural and underserved regions.

7 (4) Establishing a statewide SANE coordinator and regional mobile SANE
8 nurse teams will improve equitable access to forensic nursing services for survivors
9 of sexual assault throughout the state.

10 B. The purpose of this Part is to ensure that every survivor of sexual assault
11 in this state has access to a trained sexual assault nurse examiner regardless of
12 geographic location, and to establish a coordinated, sustainable statewide
13 infrastructure for the performance of forensic medical examinations for survivors of
14 sexually oriented offenses.

15 §1228.3. Definitions

16 For the purposes of this Part, the following terms have the following
17 meanings:

18 (1) "Department" means the Louisiana Department of Justice.

19 (2) "Forensic medical examination" has the same meaning as defined in R.S.
20 15:622.

21 (3) "Healthcare provider" means either of the following:

22 (a) A physician, sexual assault nurse examiner, or other healthcare
23 practitioner licensed, certified, registered, or otherwise authorized and trained to
24 perform a forensic medical examination.

25 (b) A licensed hospital that operates an emergency department.

26 (4) "Healthcare services" means services, items, supplies, or drugs for the
27 diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury,
28 or disease ancillary to a sexually oriented criminal offense.

1 (5) "Reported sexual assault collection kit" means a sexual assault collection
2 kit collected from a survivor who has reported the crime to law enforcement and
3 affirmatively requests that the case proceed as a criminal investigation and potential
4 prosecution of the suspect.

5 (6) "Sexual assault collection kit" means the human biological specimens
6 and associated evidence collected by a healthcare provider during a forensic medical
7 examination for the purpose of documenting, preserving, and analyzing evidence of
8 a sexual assault, and means the standardized sexual assault collection kit issued by
9 the Louisiana State Police.

10 (7) "Sexually oriented criminal offense" has the same meaning as defined in
11 R.S. 15:622.

12 (8) "Sexual Assault Nurse Examiner" or "SANE" means a registered nurse
13 who has received specialized training as determined by the Sexual Assault Response
14 Standards Subcommittee in conducting forensic medical examinations for survivors
15 of sexually oriented criminal offenses.

16 (9) "Unreported sexual assault collection kit" means a sexual assault
17 collection kit collected from a survivor who declines to report the crime to law
18 enforcement at the time of the examination and requests that no criminal
19 investigation or prosecution be initiated, while retaining the right to report the crime
20 and convert the kit to a reported status at any time within the twenty-year retention
21 period.

22 §1228.4. Statewide SANE coordinator; creation; duties

23 A. The department shall create and maintain the position of statewide sexual
24 assault nurse examiner, or SANE, coordinator. The statewide SANE coordinator
25 shall be trained as a SANE nurse in accordance with applicable national or statewide
26 guidelines and have at least two years of experience as a practicing SANE.

27 B. The duties of the statewide SANE coordinator shall include all of the
28 following:

1 (1) Developing, implementing, and overseeing a statewide strategic plan for
2 SANE services.

3 (2) Developing, implementing, and overseeing a plan to develop mobile
4 SANE teams across the state within the public health regions of the Louisiana
5 Department of Health.

6 (3) Developing and maintaining standardized protocols, policies, and
7 procedures for sexual assault forensic examinations consistent with current best
8 practices as established by applicable accrediting bodies, the United States
9 Department of Justice, and other relevant authorities.

10 (4) Serving as a member of both the Louisiana Sexual Assault Oversight
11 Commission as provided in R.S. 15:555 and the Sexual Assault Response Standards
12 Subcommittee as provided in R.S. 15:557.

13 (5) In conjunction with the Sexual Assault Response Standards
14 Subcommittee as provided in R.S. 15:557, establishing and overseeing the following:

15 (a) Mandatory initial and continuing training requirements for all SANE
16 nurses providing services in the state, ensuring that trauma-informed and
17 evidence-based protocols are integrated into all education and practice settings.

18 (b) A statewide preceptor network, aligned with existing and available best
19 practice guidelines from both national and state organizations.

20 (6) Maintaining a statewide database tracking SANE service utilization,
21 response times, and gaps in coverage.

22 (7) Conducting a statewide assessment of access to forensic medical
23 examinations and developing a statewide coverage plan within two years of the
24 assessment's completion to ensure twenty-four-hour access to services in every
25 parish.

26 (8) Serving as the primary point of contact and liaison between the
27 department and hospitals, healthcare facilities, Louisiana sexual assault centers,
28 children's advocacy centers, law enforcement, district attorneys, and other
29 stakeholders regarding SANE services. Any healthcare facility, sexual assault

1 center, children's advocacy center, law enforcement agency, child protective services
2 agency, or other entity involved in the administration, documentation, or handling
3 of sexual assault forensic examinations or the care of the survivor shall report
4 incidents involving procedural deviation, evidence compromise, or patient safety
5 concerns. The SANE coordinator shall develop, receive, and retain all incident
6 reports and ensure appropriate review, investigation, and system oversight.

7 (9) Facilitating annual meetings in all regions of the state to solicit the input
8 of interested stakeholders in the region, including but not limited to all of the
9 following:

10 (a) Any SANE programs within the region.

11 (b) The coroner for each parish within the region.

12 (c) The sheriff for each parish within the region.

13 (d) The chief of police for any political subdivision located within the region.

14 (e) All hospitals with an emergency department located within the region.

15 (f) First responder organizations located within the region.

16 (g) Higher education institutions located within the region.

17 (h) The school board for each parish located within the region.

18 (i) Sexual assault advocacy organizations and children's advocacy centers
19 providing services within the region.

20 (j) The district attorney for each parish within the region or his designee.

21 (k) Each crime lab located within the region.

22 (l) Any nursing school in the region.

23 (10) In addition to the reporting requirements provided in R.S. 15:624,
24 submitting an annual report to the governor, attorney general, the president of the
25 Senate, and the speaker of the House of Representatives that details program
26 activities, service utilization data, identified needs, and recommendations for
27 improvement.

28 (11) Applying for and administering federal grants, federal funding, and any
29 other available funding sources to support SANE services statewide.

1 (12) Performing any other duties as the attorney general may assign
2 consistent with the purposes of this Part.

3 §1228.5. TeleSANE training and mobile SANE program

4 A. The department shall establish and oversee a statewide teleSANE training
5 program and a mobile SANE program as managed within the public health regions
6 of the Louisiana Department of Health to provide forensic medical examination
7 support and forensic medical examinations for survivors of sexually oriented
8 criminal offenses.

9 B. Each mobile SANE nurse or team within each public health region shall
10 have the capacity to do all of the following:

11 (1) Be available on an on-call or scheduled basis to respond to requests for
12 SANE services within respective assigned regions on a twenty-four-hour,
13 seven-day-a-week basis.

14 (2) Respond to requests for service and arrive at the designated examination
15 site within a reasonable time, with a goal of responding within one hour of
16 notification for acute forensic medical examinations when possible and with
17 consideration of geographic parameters within the region and resulting travel time
18 required for SANE nurse response.

19 (3) Coordinate with hospitals, law enforcement, Louisiana sexual assault
20 center advocates, children's advocacy centers, and other responders to ensure
21 trauma-informed, victim-centered care.

22 (4) Provide services at any appropriate location within the region including
23 but not limited to hospital emergency departments, outpatient clinics, parish health
24 units, Louisiana sexual assault centers, children's advocacy centers, and law
25 enforcement facilities as agreed upon by the relevant entities.

26 C. All sexual assault collection kits used in a forensic medical examination
27 shall meet the standards developed by the department in collaboration with the
28 Sexual Assault Response Standards Subcommittee.

1 §1228.6. Reports to law enforcement

2 A. A licensed hospital or healthcare provider shall adhere to the following
3 procedures if a person presents for treatment as a sexual assault survivor:

4 (1) The hospital shall contact its regional SANE program to request that a
5 SANE nurse or SANE team be dispatched to the hospital or other location to perform
6 a forensic medical examination in coordination with available advocacy
7 programming.

8 (2)(a) Except as provided in Subparagraphs (b) and (c) of this Paragraph, a
9 survivor shall decide whether or not to report the incident to law enforcement
10 officials. No SANE nurse, SANE team, hospital, or healthcare provider shall require
11 the survivor to report the incident to receive medical attention or collect evidence.

12 (b) If a person under the age of eighteen presents for treatment as a sexual
13 assault survivor, the SANE nurse, SANE team, hospital, or healthcare provider shall
14 immediately notify the appropriate law enforcement agency or any other official
15 necessary to fulfill any mandatory reporting obligation required by law.

16 (c) If a survivor is physically or mentally incapable of making the decision
17 to report, the hospital or healthcare provider shall immediately notify the appropriate
18 law enforcement officials.

19 (d) If the survivor wishes to report the incident to law enforcement, the
20 hospital, a healthcare provider, or the SANE examiner shall contact the appropriate
21 law enforcement agency with jurisdiction over the location where the crime occurred
22 for the purpose of transferring the reported sexual assault collection kit to the law
23 enforcement agency. If the location where the crime occurred cannot be determined,
24 the hospital or healthcare provider shall contact the law enforcement agency with
25 jurisdiction over the location where the forensic medical examination is performed
26 to determine the appropriate investigating agency for the purpose of transferring the
27 reported sexual assault collection kit to the law enforcement agency.

28 B.(1) Any member of the hospital staff or a healthcare provider who, in good
29 faith, notifies the appropriate law enforcement official pursuant to Paragraph (A)(2)

1 of this Section is immune from any civil liability that otherwise could be incurred or
2 imposed because of the notification.

3 (2) All reports made by the hospital or healthcare provider staff member
4 shall be made through the appropriate law enforcement agency dispatch. The
5 hospital or healthcare provider staff member shall obtain a file number and the
6 responding officer's name, and document the date, time, method of notification, and
7 the name of the official who received the notification to ensure compliance with this
8 Section.

9 §1228.7. Examination; advocate

10 A. Every sexual assault survivor shall be examined and treated by a qualified
11 healthcare provider, without undue delay, in a private space required to ensure the
12 health, safety, and welfare of the survivor. Examination and treatment, including the
13 forensic medical examination, shall be adapted as necessary to address the unique
14 needs and circumstances of each survivor. All survivors shall be afforded an
15 advocate whose communications are privileged in accordance with the provisions of
16 R.S. 46:2187, if one is available. With the consent of the survivor, an advocate shall
17 remain in the examination room during the forensic medical examination. With the
18 consent of the survivor, the examination and treatment of all sexual assault survivors
19 shall be in accordance with the Sexual Assault Survivor Bill of Rights as provided
20 in R.S. 46:1845.

21 B.(1) If the survivor does not wish to report the incident to law enforcement,
22 the SANE nurse or SANE team shall, upon completion of the forensic medical
23 examination, ensure the unreported sexual assault collection kit is not identified or
24 labeled with the survivor's identifying information and do either of the following:

25 (a) Contact the law enforcement agency with jurisdiction over the location
26 where the forensic medical examination was performed to transfer possession of the
27 unreported sexual assault collection kit for storage. The law enforcement agency
28 shall maintain all unreported sexual assault collection kits for a period of twenty
29 years.

1 (b) In a jurisdiction with a coroner-based SANE program that has the ability
2 to retain kits in accordance with evidentiary standards and proper chain of custody,
3 contact the coroner's office to transfer possession of the unreported sexual assault
4 collection kit for storage. The coroner shall maintain all unreported sexual assault
5 collection kits for a period of twenty years.

6 (2) No unreported sexual assault collection kit shall remain at a hospital or
7 medical facility if the hospital or medical facility is unable to store the sexual assault
8 collection kit in a secure location that ensures proper chain of custody. If a hospital
9 or medical facility has a secure location that ensures proper chain of custody, the law
10 enforcement agency with jurisdiction over the location where the forensic medical
11 examination was performed shall take possession of the unreported sexual assault
12 collection kit within seventy-two hours upon notification of completion of the sexual
13 assault collection kit by the hospital or healthcare provider. An unreported sexual
14 assault collection kit shall be transferred to the law enforcement agency with
15 jurisdiction solely for the purpose of secure storage for the duration required by law.
16 The initiation of a criminal investigation or submission of the unreported sexual
17 assault collection kit to a forensic laboratory is not required unless the survivor elects
18 to report the incident.

19 §1228.8. Prohibition on billing for forensic medical examination

20 A. No hospital, healthcare provider, nor the statewide SANE coordinator
21 shall directly bill a survivor of a sexually oriented criminal offense for any healthcare
22 services rendered in conducting a forensic medical examination, including the
23 healthcare services provided for in R.S. 15:622(A)(2) and any of the following:

24 (1) Forensic examiner and hospital or healthcare facility services directly
25 related to the examination, including integral forensic supplies.

26 (2) Scope procedures directly related to the forensic medical examination,
27 including but not limited to anoscopy and colposcopy.

28 (3) Any testing related to the sexual assault or recommended by the
29 healthcare provider.

1 (4) Any medication provided during the forensic medical examination.

2 B. The healthcare provider who conducted the forensic medical examination
3 and the hospital or healthcare facility where the forensic medical examination was
4 conducted shall submit a claim for reimbursement directly to the Crime Victims'
5 Compensation Board, to be paid in accordance with the provisions of R.S. 46:1822.

6 C. The provisions of this Section do not apply to either of the following:

7 (1) A healthcare provider billing for any medical services that are not
8 specifically set forth in this Section or provided for diagnosis or treatment of the
9 survivor for injuries related to the sexual assault.

10 (2) A survivor of a sexually oriented criminal offense seeking reparations in
11 accordance with the Crime Victims Reparations Act, R.S. 46:1801 et seq., for the
12 costs of any medical services that are not specifically set forth in this Section or
13 provided for the diagnosis or treatment of the survivor for injuries related to the
14 sexual assault.

15 D. The statewide SANE coordinator shall make available to every hospital
16 and healthcare provider licensed under the laws of this state a pamphlet containing
17 an explanation of the billing process for services rendered pursuant to this Section.
18 Every hospital and healthcare provider shall provide a copy of the pamphlet to any
19 person presented for treatment as a survivor of a sexually oriented criminal offense.

20 §1228.9. Hospital and healthcare provider standards

21 A. The procedures provided in this Part constitute the minimum standards
22 for the operation and maintenance of hospitals pursuant to this Part. Failure to
23 comply with these standards may constitute grounds for denial, suspension, or
24 revocation of the healthcare provider's license by the appropriate licensing board or
25 commission.

26 B. No hospital or healthcare provider shall refuse to examine or assist a
27 survivor on the grounds that the alleged offense occurred outside of or the survivor
28 is not a resident of the jurisdiction.

1 §1228.10. Reproduction of certain records

2 A. Upon request of a competent adult survivor of a sexually oriented
3 criminal offense, the healthcare provider that performed the forensic medical
4 examination shall provide a reproduction of any written documentation resulting
5 from the forensic medical examination of the survivor that is in the possession of the
6 healthcare provider. The documentation shall be provided to the survivor no later
7 than fourteen days after the healthcare provider receives the request or the healthcare
8 provider completes the documentation, whichever is later.

9 B. The reproduction of written documentation described in this Section shall
10 be made available at no cost to the survivor and may only be released at the direction
11 of the survivor who is a competent adult. The release of this documentation to the
12 survivor does not invalidate the survivor's reasonable expectation of privacy nor does
13 it become a public record.

14 §1228.11. Coordination

15 A. The statewide SANE coordinator and the mobile SANE nurse program
16 within each public health region of the Louisiana Department of Health shall
17 coordinate with the following:

18 (1) The criminalistics laboratory within the public health region that is
19 authorized to conduct forensic DNA analysis of sexual assault collection kits
20 regarding statewide standards for kit collection, documentation, storage, transfer, and
21 processing in order to ensure uniform policies and procedures across all participating
22 agencies and regions.

23 (2) The Louisiana Foundation Against Sexual Assault regarding sexual
24 assault crisis services coordination.

25 (3) The Louisiana Alliance of Children's Advocacy Centers.

26 (4) The Louisiana Department of Children and Family Services.

27 (5) The Louisiana State Board of Nursing.

28 (6) The Louisiana Commission on Law Enforcement and Administration of
29 Criminal Justice.

1 (20) "Reported sexual assault collection kit" means a sexual assault
 2 collection kit collected from a survivor who has reported the crime to law
 3 enforcement and affirmatively requests that the case proceed as a criminal
 4 investigation and potential prosecution of the suspect.

5 (21) "Unreported sexual assault collection kit" means a sexual assault
 6 collection kit collected from a survivor who declines to report the crime to law
 7 enforcement at the time of the examination and requests that no criminal
 8 investigation or prosecution be initiated, while retaining the right to report the crime
 9 and convert the kit to a reported status at any time within the twenty-year retention
 10 period.

11 Section 5. Part III-A of Subchapter D of Chapter 5-D of Title 40 of the Louisiana
 12 Revised Statutes of 1950, comprised of R.S. 40:1216.1, is hereby repealed in its entirety.

13 Section 6. The Louisiana State Law Institute is hereby authorized and directed to
 14 alphabetize and renumber the Paragraphs of R.S. 46:1842 so as to properly place in
 15 alphabetical order R.S. 46:1842(20) and (21) as enacted by this Act.

16 Section 7. This Act shall become effective upon signature by the governor or, if not
 17 signed by the governor, upon expiration of the time for bills to become law without signature
 18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 20 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1247 Re-Reengrossed 2026 Regular Session Spell

Abstract: Creates a statewide sexual assault nurse examiner (SANE) coordinator within the state's sexual assault response system.

Present law (R.S. 15:555) provides for the membership of the La. Sexual Assault Oversight Commission.

Proposed law retains present law and adds the statewide sexual assault nurse examiner, or SANE, coordinator or his designee as a member.

Proposed law establishes the Sexual Assault Response Standards Subcommittee as a subcommittee of the La Sexual Assault Oversight Commission and provides for the subcommittee's duties, membership, meetings, and procedures.

Present law (R.S. 15:624) provides for sexually oriented criminal offense data.

Proposed law retains present law and adds the statewide SANE coordinator within the La. Dept. of Health (LDH) as a recipient of the report.

Proposed law requires each LDH regional medical director to submit respective regional sexual assault response plans to the chief medical officer within LDH, office of public health, and the statewide SANE coordinator with inclusion of identified regional gaps of access to forensic medical examinations by Feb. 15th of each year.

Proposed law requires the La. Commission on Law Enforcement and Administration of Criminal Justice (LCLE) to submit its grants and expenditures towards SANE services within each LDH region from the previous year to the statewide SANE coordinator by Feb. 15th of each year.

Proposed law shall be known and may be cited as the "Services For Survivors of Sexually Oriented Criminal Offenses Access Act".

Proposed law provides for a statement of legislative findings and purpose.

Proposed law defines the terms "department", "forensic medical examination", "healthcare provider", "healthcare services", "reported sexual assault collection kit", "sexual assault collection kit", "sexually oriented criminal offense", "Sexual Assault Nurse Examiner" or "SANE", and "unreported sexual assault collection kit".

Proposed law provides for the creation of the statewide SANE coordinator within the La. Dept. of Justice, requires training and minimum experience of the coordinator as a SANE nurse in accordance with applicable national or statewide guidelines, and provides for duties of the coordinator.

Proposed law provides for the establishment and oversight of a statewide teleSANE training program and a mobile SANE program as managed within the public health regions of LDH to provide forensic medical examinations and support for survivors of sexually oriented criminal offenses and provides for duties of the mobile SANE nurse or team.

Proposed law requires all sexual assault collection kits used in a forensic medical examination to meet the standards developed by the La. Dept. of Justice in collaboration with the Sexual Assault Response Standards Subcommittee.

Proposed law provides for procedures that a licensed hospital or healthcare provider is to adhere to if a person presents for treatment as a sexual assault survivor.

Proposed law provides for a limitation of liability for any member of the hospital staff or a healthcare provider who, in good faith, notifies the appropriate law enforcement official.

Proposed law provides for notification procedures and requires all reports by the hospital or healthcare provider staff member to be made through the appropriate law enforcement agency dispatch. Further requires the hospital or healthcare provider staff member to obtain a file number and the responding officer's name, documenting the date, time, method of notification, and the name of the official who received the notification in order to comply with proposed law.

Proposed law provides relative to the examination of every sexual assault survivor pursuant to the Sexual Assault Survivors Bill of Rights, provides for adaptation of the examination

and treatment, and provides for the opportunity to be afforded an advocate with privileged communications and who is to remain present during the examination.

Proposed law provides for the transfer, storage, maintenance, and disposal procedures governing sexual assault collection kits.

Proposed law prohibits billing any survivor of a sexually oriented criminal offense for any healthcare services rendered in conducting a forensic medical examination and provides for exceptions.

Proposed law requires the statewide SANE coordinator to make available to every hospital and healthcare provider a pamphlet containing an explanation of the billing process for services rendered pursuant to proposed law and requires every hospital and healthcare provider to provide a copy of the pamphlet to any person presented for treatment as a survivor of a sexually oriented criminal offense.

Proposed law constitutes the minimum standards for the operation and maintenance of hospitals pursuant to proposed law. Further provides that failure to comply with these standards may constitute grounds for denial, suspension, or revocation of the healthcare provider's license by the appropriate licensing board or commission.

Proposed law prohibits any hospital or healthcare provider from refusing to examine and assist a survivor on the grounds that the alleged offense occurred outside of or the survivor is not a resident of the jurisdiction.

Proposed law provides for the submission of a reproduction of any written documentation resulting from the forensic medical examination of the survivor no later than 14 days after the healthcare provider receives the request or the healthcare provider completes the documentation, whichever is later.

Proposed law requires the reproduction of written documentation to be made available at no cost to the survivor and to be released only at the direction of the survivor who is a competent adult. Further provides that the release of this documentation to the survivor does not invalidate the survivor's reasonable expectation of privacy and does not create public record.

Proposed law provides for coordination between the statewide SANE coordinator and the mobile SANE nurse program with certain entities.

Proposed law provides for duties of the La. Dept. of Justice and LDH relative to memorandums of understanding.

Present law (R.S. 44:4.1) provides for public records exceptions.

Proposed law amends present law to add a cross-reference to the public records exception contained in proposed law relative to reproduction of written documentation of a forensic medical examination that is provided to a survivor.

Proposed law amends the definitions of the terms "reported sexual assault collection kit", "sexual assault collection kit", and "unreported sexual assault collection kit" to provide a consistent definition throughout present law (R.S. 15:622, 624, and 624.1 and R.S. 46:1842) and proposed law.

Present law (R.S. 40:1216.1) provides for procedures for survivors of a sexually oriented criminal offenses, immunity, regional plans, maximum allowable costs, definitions, and documents requested by the victim.

Proposed law repeals present law.

Proposed law provides for duties of the La. State Law Institute relative to the proper placement of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:622(A)(intro. para.) and (3)-(5), 624(A)(1)(intro. para.) and (B)-(D), and 624.1(B)(2), (C), and (I), R.S. 44:4.1(B)(27), and R.S. 46:1842(intro. para.) and (14); Adds R.S. 15:555(A)(18), 557, 622(A)(6) and (7), and 624(E) and (F), R.S. 40:1228.1-1228.11, and R.S. 46:1842(20) and (21), Repeals R.S. 40:1216.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Provide for the president or executive director of certain entities of proposed law, or their designees, to serve on the subcommittee.
2. Add the executive director of the La. Commission on Law Enforcement and Administration of Criminal Justice or his designee to the subcommittee.
3. Relative to capacity to respond to a request for service, provide for consideration of geographic parameters within the region and resulting travel time required for SANE nurse response.
4. Remove a provision providing that immunity extends to participation in any judicial proceeding that results from a report.
5. Prohibit a hospital, healthcare provider, or any statewide SANE coordinator from directly billing a survivor of a sexually oriented criminal offense in accordance with present law (R.S. 15:622(2)).
6. Provide the services that can be directly billed and provide for reimbursements.
7. Provide for coordination of statewide standards and uniform policies and procedures.
8. Require the statewide SANE coordinator and each mobile SANE nurse program to coordinate with the La. Commission on Law Enforcement and Administration of Criminal Justice.
9. Make technical changes.

The House Floor Amendments to the reengrossed bill:

1. Make the definitions of "reported sexual assault collection kit", "sexual assault collection kit", and "unreported sexual assault collection kit" uniform throughout present law and proposed law.
2. Clarify that the contact made to the appropriate law enforcement agency pursuant to a survivor's wish to report an incident of sexual assault is for the purpose of transferring the reported sexual assault collection kit to the law enforcement agency.
3. Clarify that the transfer of an unreported sexual assault collection kit to a law enforcement agency is solely for the purpose of secure storage for the duration required by law.

4. Provide that initiation of a criminal investigation or submission of an unreported sexual assault collection kit to a forensic laboratory is not required unless the survivor elects to report the incident of sexual assault.
5. Make technical changes.